

REMARKS

Claims 1-35 are pending in this application. Claim 20 stands withdrawn.

Applicants thank Examiner Tran for the courtesy extended to Applicants' representative, Mr. Luo, during the January 9, 2007 personal interview and the subsequent January 9, 2007 telephone interview, and during the January 12, 2007 telephone interview. The substance of the interviews is incorporated in the following remarks.

Applicants appreciate the Office Action's withdrawal of the restriction requirement, and the rejoinder of claims 20-25. However, during the interviews, the Examiner indicated that the rejoinder of claims 20-25 is withdrawn, and that claims 20-25 should be canceled. To support the withdrawal of the rejoinder, the Examiner asserted that claims 20 and 35 have different scopes, because claim 20 only recites "a multicast address," while claim 35 recites "a predetermined multicast address" and "the predetermined multicast address."

However, such asserted different scopes do not appear substantial because "multicast address" is similarly recited in both claims 20 and 35, regardless whether a qualifier "predetermined" is used and whether this feature is recited only once (claim 20) or more than once (claim 35). Also, claim 35 remains a linking claim that links claim 20 to other claims. The linkage provided by claim 35, as recognized in the Office Action, is not negated by the asserted difference in scopes between claims 20 and 35. Accordingly, Applicants respectfully request re-rejoinder of claim 20.

In this Amendment, claim 20 is withdrawn and claims 21-25 are amended to depend from claim 35. If the Examiner believes that claim 20 should be canceled in order to place this application in condition for allowance, the Examiner is requested to explain the withdrawal of the rejoinder of claims 20-25 in the next Office Action, and Applicants will consider canceling claim 20. However, as discussed above, the Examiner is respectfully requested to consider re-rejoining claim 20.

The Office Action rejects claims 1-35 under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

The Office Action asserts that the term "a predetermined multicast address" or "a multicast address," as recited in claims 1, 20, 26 and 35, is indefinite. In particular, the Office Action asserts that the term "the predetermined multicast address" in the phrase "a joining unit that causes at least one network printer to join a predetermined multicast address," as recited in claim 1, fails to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. However, this assertion simply states a conclusion, without explanation or reasoned support for the conclusion.

As discussed during the interviews, the terms highlighted by the Office Action are clear on their face. The feature "a predetermined multicast address" or "a multicast address" is additionally supported in the specification at, for example, page 8, line 7 through page 9, line 4. One of ordinary skill in the art appreciates such terms. For example, a search for the phrase "multicast address" will receive a large number of return on the Internet. Also, the recitation of these terms in the claims contains proper antecedent basis. Thus, the rejection directed to the recitation of these terms under 35 U.S.C. §112, second paragraph is improper.

The Office Action also asserts that the recited term "print data" does not clarify where it comes from and how the printer control device gets that print data. This assertion is incorrect.

The specification discloses where "print data" comes from and how a printer control device gets "print data." See the specification at, for example, page 9, lines 2-4. One of ordinary skill in the art understands the where-from of such print data. Also, the where-from of the print data is not considered by the Applicants as an essential element of the claims. Thus, the claims are not required to recite the where-from of the print data. See MPEP §2172(I).

For at least the above reasons, as discussed during the interviews, withdrawal of the rejection of claims 1-35 under 35 U.S.C. §112, second paragraph is respectfully requested.

The Office Action rejects claims 1, 20, 26 and 35 under 35 U.S.C. §112, second paragraph, as omitting essential elements or method steps. This rejection is respectfully traversed.

The Office Action asserts that the omitted elements are: 1) the conditions or reasons why the control unit and methods for "controlling transmission of packet to," "waiting for packets from," and "retransmission of packets"; and 2) how to have "a print data." These assertions are incorrect.

The specification discloses the transmission of packets, the waiting for packets, and the retransmission of packets. See the specification at, for example, page 12, line 25 through page 13, line 13. The specification also discloses how to have print data. See the specification at, for example, page 9, lines 2-4. One of ordinary skill in the art appreciates these concepts, and how and whether to implement them for a given application. However, descriptions of these features, such as "why" and "how-to," are not considered by the Applicant as essential elements of claims 1, 20, 26 and 35. Thus, the "why" and "how-to" are not required to be recited in the claims. See MPEP §2172(I).

For at least the above reasons, withdrawal of the rejection of claims 1, 20, 26 and 35 under 35 U.S.C. §112, second paragraph is respectfully requested.

The Office Action rejects claim 20 under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. This rejection is respectfully traversed.

The Office Action asserts that, "if the network printer only comprises a structure having a network interface and a multicast joint unit, then the network printer is lack of its functionalities." It appears that the Office Action is asserting that the printer recited in claim

20 only consists of a network interface and a multicasting joint unit. Such an interpretation is incorrect.

The word "comprises" is open ended. The elements recited after the word "comprises" are not necessarily the only elements of the printer. Thus, although claim 20 only recites the network interface and the multicast joining unit for a printer, one should not construe that the printer only has the network interface and the multicast joining unit. One of ordinary skill in the art understands what a "printer" is and what the basic functionality of a "printer" are. In fact, the specification clearly discloses that a printer has functionalities in addition to those associated with a network interface and a multicast joining unit. See the specification at, for example, page 9, line 22-page 10, line 15. One of ordinary skill understands how to use and practice the claimed invention without undue experimentation.

Accordingly, withdrawal of the rejection of claim 20 under 35 U.S.C. §112, first paragraph is respectfully requested.

The Office Action rejects claim 20 under 35 U.S.C. §101. This rejection is respectfully traversed.

The Office Action asserts that the printer recited in claim 20 "is inoperative and therefore lacks utility." It appears that the Office Action is, again, asserting that the printer recited in claim 20 only consists of a network interface and a multicast joining unit. However, as discussed above, such an interpretation is improper. The use of the word "comprising" in claim 20 indicates, the specification (page 9, line 22 through page 10, line 15, for example) discloses, and one of ordinary skill in the art understands that "printer" has the basic functionalities of a printer. Thus, the printer recited in claim 20 is not inoperative, and does not lack utility.

For at least the above reasons, withdrawal of the rejection of claim 20 under 35 U.S.C. §101 is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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